

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ALVIN BALDUS, CARLENE BECHEN, ELVIRA
BUMPUS, RONALD BIENDSEIL, LESLIE W DAVIS,
III, BRETT ECKSTEIN, GLORIA ROGERS, RICHARD
KRESBACH, ROCHELLE MOORE, AMY RISSEEUW,
JUDY ROBSON, JEANNE SANCHEZ-BELL,
CECELIA SCHLIEPP, TRAVIS THYSSEN, and CINDY
BARBERA,

Plaintiffs,

TAMMY BALDWIN, GWENDOLYNNE MOORE, and
RONALD KIND,

Intervenor-Plaintiffs,

v.

Members of the Wisconsin Government
Accountability Board, each only in his official
capacity: MICHAEL BRENNAN, DAVID
DEININGER, GERALD NICHOL, THOMAS CANE,
THOMAS BARLAND, and TIMOTHY VOCKE, and
KEVIN KENNEDY, Director and General Counsel for
the Wisconsin Government Accountability Board,

Defendants,

F. JAMES SENSENBRENNER, JR., THOMAS E.
PETRI, PAUL D. RYAN, JR., REID J. RIBBLE, and
SEAN P. DUFFY,

Intervenor-Defendants.

Case No. 11-CV-0562
JPS-DPW-RMD

VOCES DE LA FRONTERA, INC., RAMIRO VARA,
OLGA VARA, JOSE PEREZ, and ERICA RAMIREZ,

Plaintiffs,

v.

Members of the Wisconsin Government
Accountability Board, each only in his official
capacity: MICHAEL BRENNAN, DAVID
DEININGER, GERALD NICHOL, THOMAS CANE,
THOMAS BARLAND, and TIMOTHY VOCKE, and
KEVIN KENNEDY, Director and General Counsel for
the Wisconsin Government Accountability Board,

Defendants.

Case No. 11-CV-1011
JPS-DPW-RMD

ORDER

Before WOOD, *Circuit Judge*, DOW, *District Judge*, and STADTMUELLER,
District Judge

On November 15, 2011, the plaintiffs in *Voces de la Frontera, et al. v. Brennan, et al.*, Case No. 11-CV-1011, moved to consolidate their case with *Baldus, et al. v. Brennan, et al.*, Case No. 11-CV-0562. (Case No. 11-CV-1011, Docket #7). Both cases involve challenges to Wisconsin's recently-enacted legislative redistricting law, and were filed against the same group of defendants, individuals affiliated with Wisconsin's Government Accountability Board. (See Case No. 11-CV-0562, Docket #12; Case No. 11-CV-1011, Docket #1).

The Court may consolidate cases that "involve a common question of law or fact," and the Court will do so in this case. Fed. R. Civ. P. 42(a)(2). The two cases share common questions of both law and fact. As mentioned above, both cases were filed against the same seven defendants. Additionally, all of the plaintiffs' claims in *Voces de La Frontera*, Case No. 11-CV-1011, are identical to certain claims alleged by the plaintiffs in *Baldus*, Case No. 11-CV-0562. (Compare Case No. 11-CV-0562, Am. Compl. ¶¶ 62–71, with Case No. 11-CV-1011, Compl. ¶¶ 27–33). Because the cases share common questions of both law and fact, the Court may consolidate them. Fed. R. Civ. P. 42(a)(2).

The Court also agrees with the *Voces de la Frontera* plaintiffs that consolidation is a wise course. (Case No. 11-CV-1011, Mot. to Consol., at 2). As the *Voces de la Frontera* plaintiffs correctly point out, consolidation will result in substantial time savings, due to the shared nature of issues in the cases. *Id.* As this case involves important questions relating to the legality of Wisconsin's voting districts in the upcoming elections, time is of the essence and, therefore, the Court strongly favors consolidation of the cases to most expeditiously move them through the trial process.

Finally, all of the parties to both actions have consented to the consolidation of these cases. The common state defendants have consented to the consolidation by letter (Case No. 11-CV-1011, Docket #8; Case No. 11-CV-0562, Docket #39), as have the intervenor-defendants (Case No. 11-CV-0562, Docket #40) and the intervenor-plaintiffs (Case No. 11-CV-0562, Docket #50); the *Baldus* plaintiffs have given their consent to the *Voces de la Frontera* plaintiffs (Case No. 11-CV-1011, Mot. to Consol., at 2).

For these reasons, the Court feels comfortable not only in its assessment that it *may* consolidate these cases, but also in its determination that consolidation is the wisest course of action and is generally favored by the parties. Therefore, the Court will grant the *Voces de la Frontera* plaintiffs' motion to consolidate. (Case No. 11-CV-1011, Docket #7).

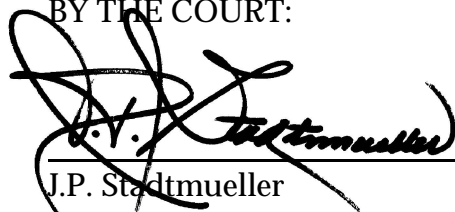
Accordingly,

IT IS ORDERED that the motion to consolidate filed by the plaintiffs in Case No. 11-CV-1011 (Case No. 11-CV-0562, Docket #37; Case No. 11-CV-1011, Docket #7) be and the same is hereby GRANTED; and

IT IS FURTHER ORDERED that *Voces de la Frontera, et al. v. Brennan, et al.*, Case No. 11-CV-1011, be and the same is hereby consolidated and joined with *Baldus, et al. v. Brennan, et al.*, Case No. 11-CV-0562, for purposes of trial.

Dated at Milwaukee, Wisconsin, this 22nd day of November, 2011.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge